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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/643,514

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James Bracken

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EXAMINER

CHAMPAGNE, LUNA

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/643,514	Applicant(s) BRACKEN ET AL.	
	Examiner LUNA CHAMPAGNE	Art Unit 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-44 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 and 45-76 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/7/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of claims 33-34 in the reply filed on 2/15/08 is acknowledged.

Claims 1-32, 45-76 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected process and apparatus, there being no allowable generic or linking claim.

Applicant argues that the Examiner has not provided reasons for the requirement.

Specifically, the applicant indicates that the Examiner has failed to provide information that there would be a burden to examine all the groups. However, this is not found to be persuasive in that the Examiner, in at least paragraph 12c of the Office action, has indicated that there would be a different search required for each group.

The applicant further argues that the Examiner has failed to establish that the groups are independent and distinct. However, according to the MPEP (see for example 802.01), the criteria for a proper restriction is independent **and/or** distinct. The Examiner has shown distinctness; therefore the arguments are not persuasive.

The restriction requirement has been reviewed and deemed proper and therefore made FINAL.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 33, 37, 38, 40, 41, 43, 44 are rejected under 35 U.S.C. 102(e) as being unpatentable by Marcial et al (7,340,421 B1).

Re claim 33, Marcia et al. Disclose a hosting system for hosting one or more clients, comprising: a source database to store source data pertaining to a financial account, the source data exhibiting a source balance (*Business Entity Information Section - BEIS 90*); an application database to store ledger data pertaining to the financial account, the ledger data exhibiting a ledger balance (*Subsidiaries Information Section – SIS 94*); and an account reconciliation application executing at the application database to enable creation of reconciliation documents that associate the ledger data and the source data pertaining to the financial account and define reconciliation items to reconcile any differences between the source balance and the ledge balance (*Account reconciliation Activity Section - ARAS 96*) (see e.g. col. 5, lines 6-35).

Re claim 37, Marcial et al. disclose a hosting system wherein the application database stores multiple ledger data from multiple different ledgers (see e.g. col. 3, lines 30-32).

Re claim 38, Marcial et al. disclose a hosting system, wherein the account reconciliation application enables creation of reconciliation profiles that define how the financial account is to be reconciled, the reconciliation documents being based in part on corresponding reconciliation profiles (*see e.g. col. 12, lines 11-15*).

Re claim 40, Marcial et al. disclose a hosting system wherein the account reconciliation application comprises a collection of server pages to generate web pages used in the creation of the reconciliation documents and a collection of object classes to facilitate reconciliation and review of the reconciliation documents (*see e.g. col. 7, lines 24-38*).

Re claim 41, Marcial et al. disclose a hosting system, further comprising one or more web servers to serve the web pages to remote clients (*see e.g. col. 4, lines 29-32*).

Re claim 43, Marcial et al. disclose a hosting system wherein the reconciliation documents can exhibit financial amounts in different currencies (*see e.g. col. 8, lines 5-8*).

Re claim 44, Marcial et al. disclose a hosting system, further comprising a reporting database system to generate reports pertaining to account reconciliation (*see e.g. col. 5, lines 1-5*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34, 35, 36, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcial et al (7,340,421 B1), in view of Bellinger et al. (6,023,705).

Re claims 34, 35, Marcial et al. do not explicitly disclose a hosting system wherein the source database comprises an image repository to store images of source documents; wherein the source database comprises a directory to track identity and location of hardcopies of source documents.

However, Bellinger et al. disclose a hosting system wherein the source database comprises an image repository to store images of source documents (*see e.g. col. 12, lines 61-63 – The check data and images can be stored in files on DASD for subsequent transmission to a commercial customer*); wherein the source database comprises a directory to track identity and location of hardcopies of source documents (*see e.g. col. 21, lines 45-47 – The Media Recreate backup Program 410 available from Check Solutions keeps track of the location of the files copied to a specific tape volume*).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify Marcial et al. and include the steps cited above, as taught by

Bellinger et al., in order to keep better track of documents for future account reconciliation and dispute resolution purposes

Re claims 36, 39, Marcial et al. do not explicitly disclose a hosting system, wherein the application database stores the reconciliation documents; wherein the application database stores the reconciliation profiles.

However, Bellinger et al. disclose a hosting system, wherein the application database stores the reconciliation documents; wherein the application database stores the reconciliation profiles (see e.g. col. 8, lines 62-65; col. 9, lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify Marcial et al. and include the steps cited above, as taught by Bellinger et al., in order to provide each partner/subsidiary with the most current records.

5. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Marcial et al (7,340,421 B1), in view of Ashcroft et al. (7,346,667 B2).

Re claim 42, Marcial et al. do not explicitly disclose a hosting system wherein the web pages present content written in different languages.

However, Ashcroft et al. disclose a hosting system wherein the web pages present content written in different languages (see e.g. col. 10, lines 21 -36).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify Marcial et al. and include the steps cited above, as taught by Ascroft et al., in order to diversify the system.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Malcolm (7,263,527), Quine (US 2003/0074288 A1), Goodbody et al. (US 20070179870 A1), Simmons (5,093,787).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUNA CHAMPAGNE whose telephone number is (571)272-7177. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627

Luna Champagne
Examiner
Art Unit 3627

March 24, 2008